

PATENT

Attorney Docket No.: 3957-8-DIV

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

MICKE et al.

Serial No.: Not yet assigned

Filed: Herewith

For: "METHOD AND APPARATUS FOR
REMOVING OBSTRUCTIONS IN
MINES"

) Group Art Unit: 3643

) Examiner:

) **INFORMATION DISCLOSURE STATEMENT**

) EXPRESS MAIL MAILING LABEL NUMBER: EL822581202US

) DATE OF DEPOSIT: November 2, 2001

) I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING
) DEPOSITED WITH THE UNITED STATES POSTAL SERVICE
) "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE
) UNDER 37 C.F.R. 1.10 ON THE DATE INDICATED ABOVE
) AND IS ADDRESSED TO THE ASSISTANT COMMISSIONER FOR
) PATENTS, WASHINGTON, D.C. 20231.

) TYPED OR PRINTED NAME: Angela P. Davis

SIGNATURE: 

Assistant Commissioner for Patents
Washington, D. C. 20231

Sir:

The references cited on attached Form PTO-1449 are being called to the attention of the Examiner. Copies of the cited references:

☒ [X] Are not enclosed, but were submitted with U.S. Patent Application Serial No. 09/173,876, filed October 16, 1998.

☐ To the best of applicants' belief, the pertinence of the foreign-language references are believed to be summarized in the attached English abstracts and in the figures, although applicants do not necessarily vouch for the accuracy of the translation.

☒ [X] Examiner's attention is drawn to the following co-pending applications: Serial No. 09/173,876, filed October 16, 1998).

Submission of the above information is not intended as an admission that any item is citable under the statutes or rules to support a rejection, that any item disclosed represents analogous art, or that those skilled in the art would refer to or recognize the pertinence of any reference without the benefit of hindsight, nor should an inference be drawn as to the pertinence of the references based on the order in which they are presented. Submission of this statement should not be taken as an indication that a search has been conducted, or that no better art exists.

It is respectfully requested that the cited information be expressly considered during the prosecution of this application and the references made of record therein.

1605
6/27/2
J1002 U.S. PTO
10/005797
11/02/01

FEES

<input checked="" type="checkbox"/>	<p>No fee is believed due in connection with this submission, because the information disclosure statement submitted herewith is being filed:</p> <p><input type="checkbox"/> within three months of the filing date of the application or date of entry into the national stage of an international application or</p> <p><input checked="" type="checkbox"/> before the mailing date of a first Office Action on the merits, whichever occurs last. 37 C.F.R. 1.97(b). Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970.</p>
<input type="checkbox"/>	<p>The information disclosure statement transmitted herewith is being filed after three months of the filing date of this national application but before the mailing date of either:</p> <p>(1) a final action under 37 C.F.R. 1.113 or</p> <p>(2) a notice of allowance under 37 C.F.R. 1.311,</p> <p>whichever occurs first. This Information Disclosure Statement is accompanied by:</p> <p><input type="checkbox"/> A Certification (below) as specified by 37 C.F.R. 1.97(e). Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970.</p> <p style="text-align: center;">OR</p> <p><input type="checkbox"/> A check in the amount of \$240.00 for the fee set forth in 37 C.F.R. 1.17(p) for submission of an information disclosure statement. Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970.</p>
<input type="checkbox"/>	<p>This Information Disclosure Statement is being submitted after the mailing date of a final action under §1.113 or a notice of allowance under § 1.311, but before payment of the issue fee.</p> <p><input type="checkbox"/> This information Disclosure Statement includes a Certification (below) as specified by 37 C.F.R. 1.97(e)</p> <p style="text-align: center;">AND</p> <p><input type="checkbox"/> Applicants hereby petition for consideration of the references disclosed herein. Enclosed is a petition fee in the amount of \$130.00 under 37 C.F.R. 1.17(i)(1). Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970.</p>
<input type="checkbox"/>	<p>Applicant elects to pay the fee set forth in 37 C.F.R. 1.17(p) for submission of an information disclosure statement, and the enclosed check includes \$240.00 for payment of such fee. Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970. Election to pay the fee should not be taken as an indication that applicant(s) cannot execute a certification.</p>

Certification (37 C.F.R. 1.97(e))
(Applicable only if checked)

☐ The undersigned certifies that:

☐ Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(1).

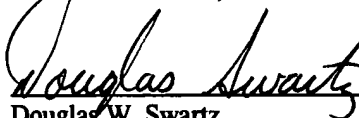
☐ A copy of the communication from the foreign patent office is enclosed.

OR

☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(2).

Respectfully submitted,

SHERIDAN ROSS, P.C.



Douglas W. Swartz

Registration No. 37,739

1560 Broadway, Suite 1200

Denver, Colorado 80202-5141

Nov. 2, 2001
Date

SHERIDAN ROSS, P.C.

303-863-9700

FAX: 303-863-0223

M:\3957-8\div\IDS.wpd

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)	ATTY. DOCKET NO. 3957-8-DIV	SERIAL NO.
	APPLICANT Micke et al.	
	FILING DATE Herewith	GROUP ART 3643

002 U.S. PTO
 10/05797
 11/02/01

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROP.
	AA	1,585,664	5/25/26	Gilman, G.H.			11/24/20
	AB	2,359,301	10/3/44	Church et al.	102	56	3/22/41
	AC	2,725,821	12/6/55	Coleman, H.W.	102	22	3/29/52
	AD	3,695,715	10/3/72	GODFREY	299	13	
	AE	3,721,471	3/20/73	Bergmann et al.	299	55	10/28/71
	AF	3,777,665	12/11/73	Ziemba	102	70.2P	8/3/72
	AG	3,788,230	1/29/74	Losfeld	102	74	1/22/70
	AH	3,963,275	6/15/76	GODFREY et al.	299	13	
	AI	4,388,868	6/21/83	Frostig	102	473	11/10/80
	AJ	4,406,430	9/27/83	KRAMMER et al.	244	3.13	
	AK	5,031,538	7/16/91	DUFRANE et al.	102	275.5	
	AL	5,081,929	1/21/92	Mertens	102	273	11/19/90
	AM	5,345,853	9/13/94	Crepin et al.	89	1.818	12/3/93
	AN	5,359,935	11/1/94	WILLETT	102	307	
	AO	5,365,913	11/22/94	WALTON	124	75	
	AP	5,404,820	4/11/95	HENDRIX	102	201	
	AQ	5,429,030	7/4/95	TIDMAN	89	7	
	AR	5,611,605	3/18/97	MCCARTHY	299	13	
	AS	5,731,538	3/24/98	O'BRIEN et al.	102	202.5	

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)	ATTY. DOCKET NO. 3957-8-DIV	SERIAL NO.
	APPLICANT Micke et al.	
	FILING DATE Herewith	GROUP ART 3643

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
							YES	NO
	AT	568.425	3/24/24	France				
	AU	EP 0 230 720 A2	8/5/87	EPO				
	AV	DE3533753	9/21/85	Germany (Abstract Only)				
	AW	DE 31 49 346	6/16/83	Germany				
	AX	EP 0 363 079 A2	4/11/90	EPO				
	AY	CA2015773	4/30/90	Canada (Abstract Only)				
	AZ	DE4226129-A	8/7/92	Germany (Abstract Only)				
	BA	EP-602632-A	12/18/92	EPO (Abstract Only)				
	BB	94 3791	5/30/94	South Africa				

OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)

	BC	Society of Explosives Engineers, Inc. "Permissible Blasting/Underground Coal Mines," Chapter 26, Blaster's Handbook, 17th Ed. (1998)
	BD	Watson et al.; "DEMONSTRATION OF HIGH SPEED GUN AND PENETRATING CONE FRACTURE TECHNOLOGY"; Proposal to <u>Climax Molybdenum Company/Henderson Mine</u> ; October 1990; pp. 1-24.
	BE	Lundquist, R.; "UNDERGROUND TESTS OF THE REAM METHOD OF ROCK FRAGMENTATION FOR HIGH-SPEED TUNNELING"; <u>RETIC Proceedings</u> ; Vol. 1; 1974; pp. 825-840.
	BF	Louie, N.; "QUASI-CONTINUOUS EXPLOSIVE CONCEPTS FOR HARD ROCK EXCAVATION"; Shock Hydrodynamics Division <u>Whittaker Corporation</u> ; June 1973; Final Report.
	BG	Singh, M.; "ROCK BREAKAGE BY PELLET IMPACT"; <u>IIT RESEARCH INSTITUTE</u> ; 12/24/69; Final Report.

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	